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 To: <nrcprep@nrc.gov>
 Date: Wed, Dec 3, 2003 10:12 PM
 Subject: Fire Protection at Nuclear Plants

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 12/5/03 [Signature]*

Attention: Chief of Rules:

1. This is to urge you, on behalf of practicality and fairness, to extend for at least an additional thirty days the comment period on the interim criteria for enforcement discretion on fire protection at nuclear plants.

11/26/03

68 FR 66501

As announced in the Federal Register on November 26, a comment period of thirty days on a matter of such potential harm to citizens living near nuclear power plants is too brief, especially considering the two major holidays which fall within the comment period.

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2. My comment on the proposed rule itself is that it is not acceptable. The original regulation which called for a separation of cables controlling plant shutdown so that a fire would not render the shutdown impossible should have been implemented long ago, and if NRC does not have an adequate number of personnel to see that that is properly done, then that is a personnel problem that needs fixing immediately. Changing the regulation to make it less expensive or more convenient for plant operators is no substitute for protecting the lives of the millions of people within the range of deadly radiation from an out of control plant fire.

The New York Times article quoted below shows the fatal flaws in this proposed change.

Nuclear Agency Changes Its Stance on a Fire Safety Proposal

By MATTHEW L. WALD

Published: November 29, 2003

WASHINGTON, Nov. 28 After 10 years of struggling to make reactor owners modify their plants to protect electrical cables from fire, the Nuclear Regulatory Commission is now proposing to amend its own rules, retroactively legalizing an alternate strategy used by many plants but never formally approved.

The change involves the cables that connect the control room with pumps, valves and other equipment needed to shut down a plant safely.

Previously, the commission wanted the reactors to separate the control cables for redundant equipment, or install fire detection and suppression equipment or fire barriers, so a single fire could not disable all the cables. It now proposes to accept letting the

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*Add - R. Dudley (RFD)
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plants designate technicians who would run through the plant and operate equipment by hand if the control cables had burned away.

Under a proposal published in the Federal Register on Wednesday, the commission's staff would not evaluate the feasibility of such a solution; instead, the reactor operators would draw up the plans, test them and keep the results on file for the inspections conducted every three years by the commission's staff.

Among the questions raised by the new strategy is whether workers could get to the equipment, through the heat, smoke, radiation, and steam that might be present in a fire.

The reason for the proposal, said Sunil Weerakkody, the section chief for fire protection and special studies, is that over the years the commission's inspectors in the field had informally approved such plans or that reactor owners had made such arrangements without asking permission. According to commission documents, some reactor owners simply asserted that they could use such alternate means under the terms of their licenses.

The commission's lawyers recently concluded that these approvals were not legal. The commission could require an application in each case and then evaluate each one, Mr. Weerakkody said, but it lacks the resources to do so and still keep up with its other work. Inspectors, he said, "have common sense and engineering sense" and can judge from the records whether the precautions are adequate.

But Paul Gunter, a safety advocate at the Nuclear Information and Resource Service, a group generally critical of the nuclear industry, said, "The N.R.C. took the word of a noncompliant and noncooperating industry, and set the bar low enough so they could step over it."

Fire has been a concern since March 1975, when a worker at one of the Tennessee Valley Authority's three Brown's Ferry reactors, in northern Alabama, accidentally set a fire with a candle that he was using to search for an air leak. The fire made it difficult to operate the equipment needed to shut down the plant and to monitor its condition.

In response, some plants installed a material called "Thermo-lag" as a fire barrier, but in the early 1990's, the commission determined that the material was not effective. To compensate, for a time, many plants assigned employees to watch for fire. But many made plans for sending workers directly to the

affected equipment, a strategy called "operator manual action."

Mr. Weerakkody said that under the new proposal his agency would have a uniform set of criteria for approving "operator manual action" plans made by the plant managers, instead of relying on the simple judgment of inspectors. In that way, approving the new program would increase safety, he said.

At a recent briefing by the commission's staff, one specialist in fire protection said that until 1992 the commission had approved a total of 50 manual actions for more than 100 nuclear reactors, but that he had found 100 manual actions at a single nuclear plant.

A recent staff paper concluded, "While the use of unapproved operator manual actions may contribute to increases in risk from fires, results from staff inspections to date indicate that there is insufficient evidence that the generic use of these actions poses a safety issue."

But the idea of substituting humans for physical protections has attracted some skepticism. In September, at a meeting of the commission's Advisory Committee on Reactor Safeguards, Dana A. Powers, the committee's vice chairman asked: "Is there any hope? It's not like you can set up a simulator and test an operator action."

"How do you simulate smoke, light, fire, ringing bells, fire engines, crazy people running around?" he asked.

A commission staff member, Eva Brown, replied that in some cases, lights could be turned off to make a drill seem more realistic, and inspectors could check preparations by seeing if air packs were available.

Mr. Gunter, in a telephone interview, said that relying on manual actions would mean that plant workers would be counted on to perform heroic, or even suicidal, tasks.

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